

FIRST REGULAR SESSION

# SENATE BILL NO. 289

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Read 1st time February 2, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1653S.011

## AN ACT

To repeal section 238.202, RSMo, and to enact in lieu thereof one new section relating to transportation development districts.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 238.202, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 238.202, to read as follows:

238.202. 1. As used in sections 238.200 to 238.275, the following terms  
2 mean:

3 (1) "Board", the board of directors of a district;

4 (2) "Commission", the Missouri highways and transportation commission;

5 (3) "District", a transportation development district organized under  
6 sections 238.200 to 238.275;

7 (4) "Local transportation authority", a county, city, town, village, county  
8 highway commission, special road district, interstate compact agency, or any local  
9 public authority or political subdivision having jurisdiction over any bridge,  
10 street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail  
11 or other transit improvement or service;

12 (5) "Project" includes any bridge, street, road, highway, access road,  
13 interchange, intersection, signing, signalization, [parking lot,] bus stop, station,  
14 garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port,  
15 airport, railroad, light rail, or other mass transit and any similar or related  
16 improvement or infrastructure. **For purposes of sections 238.200 to 238.275,**  
17 **the term "project" shall not include terrace walls, berms, landscaping,**  
18 **parking lots, parking lot lights, awnings, canopies, marquees, building**  
19 **facades, storefront improvements, or other types of internal**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 **development improvements which inure to the benefit of a private**  
21 **commercial developer or group of developers rather than promoting**  
22 **the general transportation infrastructure improvements related to the**  
23 **interests of the public at large.**

24         2. For the purposes of sections 11(c), 16 and 22 of article X of the  
25 Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.200  
26 to 238.275, the following terms shall have the meanings given:

27         (1) "Approval of the required majority" or "direct voter approval", a simple  
28 majority;

29         (2) "Qualified electors", "qualified voters" or "voters":

30         (a) Within a proposed or established district, except for a district proposed  
31 under subsection 1 of section 238.207, any persons residing therein who have  
32 registered to vote pursuant to chapter 115, RSMo; or

33         (b) Within a district proposed or established under subsection 1 of section  
34 238.207 which has no persons residing therein who have registered to vote  
35 pursuant to chapter 115, RSMo, the owners of record of all real property located  
36 in the district, who shall receive one vote per acre, provided that if a registered  
37 voter subsequent to the creation of the district becomes a resident within the  
38 district and obtains ownership of property within the district, such registered  
39 voter must elect whether to vote as an owner of real property or as a registered  
40 voter, which election once made cannot thereafter be changed;

41         (3) "Registered voters", persons qualified and registered to vote pursuant  
42 to chapter 115, RSMo.

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